

REMARKS

Claims 1-42 were pending in the application at the time the present Office Action was mailed, with claims 9, 10, 21, 22 and 28-39 having been withdrawn from consideration pursuant to an earlier Restriction Requirement. No claims have been amended, added or cancelled. Accordingly, claims 1-42 remain pending in the application, and claims 1-8, 11-20, 23-27 and 40-42 are currently under consideration.

In the Office Action, claims 1-8, 11-20, 23-27 and 40-42 were rejected. More specifically, the status of the application in light of the present Office Action is as follows:

(A) Claims 1-6, 11-15, 19, 20, 23-25 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,034,355 to Naderi et al. ("Naderi") in view of U.S. Patent No. 6,695,325 to Carrillo ("Carrillo"); and

(B) Claims 7, 8, 16-18, 26, 27, 41 and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Naderi in view of U.S. Patent No. 6,234,498 to Saku et al. ("Saku").

The undersigned attorney wishes to thank the Examiner and Primary Examiner C. Bottorff for engaging in a telephone conference on October 17, 2006 to discuss the present Office Action. During the course of the telephone conference, the parties discussed a number of claim features which the undersigned attorney maintains are not disclosed or suggested by the applied references. The following remarks summarize and expand on the points discussed during the October 17, 2006 telephone conference.

A: Response to the Section 103 rejections of claims 1-6, 11-15, 19, 20, 23-25 and 40

Claims 1-6, 11-15, 19, 20, 23-25 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Naderi in view of Carrillo.

1. Claim 1 Is Directed to a Galley Cart for Use on an Aircraft that Includes, *inter alia*, a Body Configured to be Moved Along a Passenger Aisle of the Aircraft, the Body Including a One-piece Plastic Shell

Claim 1 is directed to a galley cart for use on an aircraft that includes, *inter alia*, a body configured to be moved along a passenger aisle of the aircraft. The body includes a one-piece plastic shell forming a first side portion and at least one of a second side portion, a top portion, and a bottom portion of the body. The first side portion is spaced apart from the second side portion; the top portion extends between the first and second side portions; and the bottom portion is spaced apart from the top portion and extends between the first and second side portions.

2. Naderi Is Directed to a Food Service Cart, such as Used by Hotels, Banquet Facilities and Caterers, Having a Modular Panelized Design Comprised of Replaceable Panels

Naderi discloses a food service cart for use by hotels, banquet facilities and caterers. (Naderi in column 2, at lines 21-24). More particularly, as shown in Figure 1 of Naderi, this reference discloses a food service cart 26 having a cart body 84 formed from a top 86 and side walls 88 and 90. As Naderi explicitly states, "the side walls 88, 90 and doors 100, 102 are fully insulated, replaceable panels" (Naderi in column 8, at lines 10-12; underlining added). Naderi emphasizes the importance of the replaceable panels, stating that "in the preferred embodiment, the sidewalls and doors have a modular panelized design for easy, economical service and repairs and are comprised of fully insulated, replaceable panels" (Naderi in column 3, at lines 31-34; underlining added).

3. Carrillo Discloses a Multi-purpose Paint Caddy

Carrillo discloses a multi-purpose paint caddy for transporting and supporting paint buckets and supplies. The paint caddy facilitates access to open paint cans to facilitate the painting operation. (Carrillo in column 1, "Field of the Invention," at lines 14-18).

4. The Combination of Naderi and Carrillo Cannot Support a Section 103 Rejection of Claim 1 for at Least the Reason that Naderi Explicitly Teaches Away from a One-piece Plastic Shell

Claim 1 is directed to a galley cart for use on an aircraft. The galley cart includes, *inter alia*, a body configured to be moved along a passenger aisle of the aircraft. The body includes a one-piece plastic shell forming a first side portion and at least one of a second side portion, a top portion, and a bottom portion of the body.

As a preliminary matter, the applicant respectfully submits that neither Naderi nor Carrillo disclose or suggest a galley cart for use on an aircraft, much less a galley cart that is configured to be moved along a passenger aisle of an aircraft. To the contrary, Naderi explicitly teaches that the food service cart 26 is configured to hold a "food serving pan or container having the dimensions of a standard size food service pan, such as used by hotels, banquet facilities, and caterers." (Naderi in column 2, at lines 22-24). Nowhere does Naderi disclose or suggest that the food service cart 26 would be narrow enough "to be moved along a passenger aisle" of an aircraft. Carrillo also fails to disclose or suggest a galley cart for use on an aircraft. To the contrary, this reference is expressly directed to a multi-purpose paint caddy. Therefore, the combination of Naderi and Carrillo cannot support a Section 103 rejection of claim 1 for at least the reason that neither of these references disclose or suggest a galley cart for use on an aircraft, much less a galley cart having a body configured to be moved along a passenger aisle of an aircraft. Therefore, the rejection of claim 1 should be withdrawn for at least this reason.

The rejection of claim 1 should be withdrawn for at least one additional reason. Claim 1 recites that the body of the galley cart includes a one-piece plastic shell forming a first side portion and at least one of a second side portion, a top portion, and a bottom portion of the body. The Office Action correctly acknowledges that "Naderi fails to teach a cart integrally formed of one piece," To overcome this deficiency, however, the Office Action suggests that it would have been obvious to "modify the galley cart of Naderi to be manufactured as an integrally molded one-piece plastic shell as in Carrillo" The

applicant respectfully disagrees with this unsupported assertion because, regardless of what Carrillo might teach, Naderi expressly teaches away from the use of a one-piece plastic shell as called for by claim 1.

More particularly, throughout Naderi, Naderi emphasizes the modular nature of the food service cart 26 which has "replaceable panels." For example, in column 3 at lines 31-34, Naderi explains "in the preferred embodiment, the side walls and doors have a modular panelized design for easy, economical service and repairs and are comprised of fully insulated, replaceable panels" Indeed, the only method of construction of the food service cart 26 disclosed in Naderi is one in which the cart body 84 is comprised of a separable top 86, side walls 88 and 90, front and rear walls 92 and 94, and base 98. For example, as Naderi states in column 8 at lines 9-13, "the side walls 88, 90 and doors 100, 102 are fully insulated, replaceable panels" (Underlining added.) Thus, it is inappropriate to assert for purposes of a Section 103 rejection that one of ordinary skill in the art would have been motivated to modify Naderi to include a one-piece plastic shell, when Naderi specifically emphasizes the importance of using "replaceable panels" in a "modular" design. Therefore, the rejection of claim 1 should be withdrawn for at least this additional reason.

Claims 2-6 and 11-14 depend from base claim 1. Accordingly, the combination of Naderi and Carrillo cannot support a Section 103 rejection of these dependent claims for at least the reason that these references cannot support a Section 103 rejection of corresponding base claim 1, and for the additional features of these dependent claims. Therefore, the rejection of dependent claims 2-6 and 11-14 should be withdrawn.

The rejections of dependent claims 2 and 3 should be withdrawn for at least one additional reason. Claims 2 and 3 state that the one-piece plastic shell forms the first side portion, the top portion, and the second side portion of the body. The Office Action suggests that Naderi teaches the first side portion, top portion, and second side portion of these claims. As explained in detail above, however, Naderi expressly teaches that these

elements are a part of a modularized design in which each of these elements is "replaceable," and hence *not* part of a *one-piece* shell. Accordingly, Naderi cannot support a Section 103 rejection of dependent claims 2 and 3 for at least this additional reason, and the rejections should be withdrawn.

The rejection of dependent claim 4 should be withdrawn for at least one additional reason. The Office Action suggests that Naderi teaches that the one-piece plastic shell of the galley cart body of claim 4 can be "injection molded." To support this contention, the Office Action directs the applicant to column 2 of Naderi at lines 36-52. The applicant respectfully submits that this is a mischaracterization of Naderi. More specifically, the cited text in Naderi does not disclose that the food service cart 26 of Naderi can include a one-piece injection molded shell. Rather, this text teaches that a "new food serving pan may be molded from a high temperature, high impact plastic" Thus, contrary to teaching that a food service cart body can be "injection molded," Naderi instead teaches that a "food serving pan" may be molded. Therefore, the rejection of claim 4 should be withdrawn for at least this additional reason.

The rejection of dependent claim 5 should be withdrawn for at least one additional reason. The Office Action states, "It's old and well known to use rotation molding in the one-piece plastic shell" Regardless, claim 5 is not claiming the method of "rotational molding" in the abstract. To the contrary, claim 5 is directed to an aircraft galley cart body formed from a one-piece plastic shell that is rotational molded, and neither of the applied references teach or suggest this feature. Moreover, simply pointing out that rotational molding may be well known is insufficient to form the basis for a proper Section 103 rejection of dependent claim 5, because Naderi still teaches away from the use of a one-piece plastic shell by emphasizing the need for "replaceable" panels. Simply put, manufacturing Naderi as a one-piece, rotational molded plastic shell would frustrate the modular and replaceable aspects of Naderi's design. Therefore, the rejection of dependent claim 5 should be withdrawn for at least this additional reason.

The rejection of dependent claim 6 should be withdrawn for at least one additional reason. Claim 6 states that at least a portion of the one-piece plastic shell of the galley cart body of claim 1 includes an inner skin offset from an outer skin in a double-wall configuration. The Office Action directs the applicant to column 6, lines 37-62, of Naderi to support the rejection of claim 6. The cited text from Naderi, however, does not refer to the cart body 84 of Naderi, but instead is directed solely to the "food serving pan 22." Therefore, the rejection of dependent claim 6 should be withdrawn for at least the additional reason that neither of the applied references disclose or suggest a *galley cart body* having a *one-piece plastic shell* with an inner skin offset from an outer skin in a double-wall configuration.

The rejection of dependent claims 11 and 12 should be withdrawn for at least one additional reason. Claim 11 recites that the galley cart of claim 1 further includes an insert molded into the one-piece plastic shell, and at least one hinge is engaged with the insert to pivotably attach a door to the one-piece plastic shell. Thus, claim 11 requires a door hinge engaged with an insert molded into a one-piece plastic shell. The Office Action erroneously suggests that Figure 6A of Naderi discloses the claimed insert. The applicant respectfully disagrees. As discussed with the Examiner on October 17, 2006, Figure 6A does not illustrate a door, but rather a station module 106. Furthermore, the station module 106 does not include a "hinge" much less a hinge engaged with an insert "to pivotably attach the door to the one-piece plastic shell." Dependent claim 12 also includes a door, a hinge attached to the door, and at least one threaded insert molded into the one-piece plastic shell. Claim 12 further includes at least one fastener engaging the insert and attaching the hinge to the one-piece plastic shell to pivotably attach the door to the one-piece plastic shell. Again, nowhere does Naderi disclose or suggest a fastener engaging an insert to pivotably attach a door to a one-piece plastic shell. Therefore, the rejections of dependent claims 11 and 12 should be withdrawn for at least this additional reason.

5. Independent Claim 15 Is Directed to a Galley Cart for Use on an Aircraft that Includes, *inter alia*, a Body Having a One-piece Plastic Shell with an Inner Skin Offset from an Outer Skin in a Double-wall Configuration

Independent claim 15 is directed to a galley cart for use on an aircraft that includes, *inter alia*, a body configured to be moved along a passenger aisle of the aircraft. The body includes a one-piece plastic shell having an inner skin offset from an outer skin in a double-wall configuration. The one-piece plastic shell forms at least one of a first side portion, a second side portion, a top portion, and a bottom portion of the galley cart body.

6. Naderi and Carrillo Cannot Support a Section 103 Rejection of Independent Claim 15 for at Least the Reason that These References Fail to Disclose or Suggest an Aircraft Galley Cart Body Having a One-piece Plastic Shell with an Inner Skin Offset from an Outer Skin in a Double-wall Configuration

The galley cart body of claim 15 includes a one-piece plastic shell having an inner skin offset from an outer skin in a double-wall configuration. As discussed in detail above in regard to the rejection of claim 1, Naderi explicitly teaches away from a one-piece plastic shell construction, and instead emphasizes the importance of a modular panel design with separate, "replaceable" panels. Therefore, Naderi cannot be relied upon to form the basis of a proper Section 103 rejection of independent claim 15. Furthermore, claim 15 additionally requires that the one-piece plastic shell have "an inner skin offset from an outer skin in a double-wall configuration." Nowhere does Naderi or Carrillo disclose or suggest a *one-piece plastic galley cart body shell* having an inner skin offset from an outer skin in a double-wall configuration. Indeed, the Office Action appears to acknowledge this shortcoming of the applied references because nowhere does it identify *where* the applied references disclose this feature in relation to independent claim 15. Therefore, the combination of Naderi and Carrillo cannot support a Section 103 rejection of claim 15 for at least this reason, and the rejection should be withdrawn.

Claims 19, 20 and 23 depend from base claim 15. Accordingly, Naderi and Carrillo cannot support a Section 103 rejection of dependent claims 19, 20 and 23 for at least the reason that these references cannot support a Section 103 rejection of corresponding base

claim 15, and for the additional features of these dependent claims. Therefore, the rejection of dependent claims 19, 20 and 23 should be withdrawn.

7. Independent Claim 24 Is Directed to a Galley Cart for Use with an Aircraft that Includes, *inter alia*, a One-piece Plastic Shell Forming an Interior Portion and Having a Plurality of Horizontal Supports Configured to Hold Food

Independent claim 24 is directed to a galley cart for use with an aircraft that includes, *inter alia*, a one-piece plastic shell forming an interior portion and having a plurality of horizontal supports configured to hold food. In addition, claim 24 recites that the one-piece plastic shell includes an inner skin offset from an outer skin in a double-wall configuration.

8. Naderi and Carrillo Cannot Support a Section 103 Rejection of Independent Claim 24 for at Least the Reason that These References Fail to Disclose or Suggest an Aircraft Galley Cart Having a One-piece Plastic Shell Forming an Interior Portion with a Plurality of Horizontal Supports Configured to Hold Food

As discussed in detail above in regard to the rejection of claim 1, the combination of Naderi and Carrillo fail to disclose or suggest an aircraft galley cart having a one-piece plastic shell with an inner skin offset from an outer skin in a double-wall configuration. Accordingly, the applied references cannot support a Section 103 rejection of independent claim 24 for at least this reason, and the rejection should be withdrawn.

Furthermore, the one-piece plastic shell of claim 24 forms "an interior portion having a plurality of horizontal supports configured to hold food." Nowhere does Naderi nor Carrillo disclose or suggest a one-piece plastic shell galley cart body that forms a plurality of horizontal supports configured to hold food. The Office Action suggests that the pan support stations 104 illustrated in Figure 5 of Naderi teach the horizontal supports of claim 24. The applicant respectfully disagrees, however, because claim 24 requires more than the simple recital of horizontal supports. To the contrary, claim 24 requires that the plurality of horizontal supports be formed from "a one-piece plastic shell," and nowhere

does Naderi disclose or suggest that the pan support stations 104 are formed from "a one-piece plastic shell." Therefore, the rejection of independent claim 24 should be withdrawn for at least these reasons.

Claim 25 depends from base claim 24. Accordingly, Naderi and Carrillo cannot support a Section 103 rejection of dependent claim 25 for at least the reason that these references cannot support a Section 103 rejection of corresponding base claim 24, and for the additional features of this dependent claim. Therefore, the rejection of dependent claim 25 should be withdrawn.

9. Independent Claim 40 Is Directed to a Food Storage Unit for Use on an Aircraft that Includes, *inter alia*, a One-piece Plastic Means Having an Interior Portion for Holding Food

Independent claim 40 is directed to a food storage unit for use on an aircraft that includes, *inter alia*, a one-piece plastic means having an interior portion for holding food. The food storage unit further includes roller means for moving the one-piece plastic means along a passenger aisle on an aircraft.

As discussed in detail above, both of the applied references fail to teach or disclose, among other things, a food storage unit with roller means for moving a "one-piece plastic means along a passenger aisle on an aircraft." More particularly, Naderi explicitly teaches away from the use of a "one-piece plastic" shell to define the interior portion of his food service cart 26 because this would frustrate "the modular panelized design" of the cart and make the side, front and rear walls irreplaceable as opposed to "replaceable" as taught by Naderi. Therefore, Naderi and Carrillo cannot support a Section 103 rejection of independent claim 40 for at least the reason that these references fail to teach or suggest a food storage unit for use on an aircraft having a *one-piece* plastic means with an interior portion for holding food. Therefore, the rejection of independent claim 40 should be withdrawn.

B. Response to the Section 103 Rejection of Claims 7, 8, 16-18, 26, 27, 41 and 42

Claims 7, 8, 16-18, 26, 27, 41 and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Naderi in view of Saku.

Claims 7 and 8 depend from base claim 1, claims 16-18 depend from base claim 15, claims 26 and 27 depend from base claim 24, and claims 41 and 42 depend from base claim 40. As discussed in detail above in regard to the Section 103 rejections of base claims 1, 15, 24 and 40, Naderi fails to disclose or suggest all the features of these claims. Further, Saku fails to cure the deficiencies of Naderi with regard to these base claims. Indeed, the Office Action only appears to reply on Saku for teaching "a foam core positioned in between the inner and outer skins." Accordingly, the combination of Naderi and Saku cannot support a section 103 rejection of dependent claim 7, 8, 16-18, 26, 27, 41 and 42, for at least the reason that these references cannot support a Section 103 rejection of corresponding base claims 1, 15, 24 and 40, and for the additional features of these dependent claims. Therefore, the rejection of dependent claims 7, 8, 16-18, 26, 27, 41 and 42 should be withdrawn.

The rejection of dependent claim 27 should be withdrawn for at least one additional reason. Claim 27 recites that the one-piece plastic shell of claim 24 includes a foam core positioned between the inner and outer skins, and the inner skin, the outer skin, and the foam core are formed from the same material. The applicant respectfully submits that Saku fails to disclose or suggest a one-piece plastic shell wherein the inner skin, the outer skin, and the foam core are formed *from the same material*. To the contrary, as illustrated in Figure 2 of Saku and explained in column 2 at lines 17-20, "the sidewall of the body 10 comprises a honeycomb panel 12 and a surface material 70 covering the surface of the honeycomb panel 12" Thus, as these portions of Saku make clear, the honeycomb panel 12 is separate from the surface material 70. Accordingly, the honeycomb panel 12 and the surface material 70 of Saku are not "formed from the same material." Therefore,

the combination of Naderi and Saku cannot support a Section 103 rejection of dependent claim 27 for at least this additional reason, and the rejection should be withdrawn.

The applicant respectfully requests reconsideration of the pending claims in view of the above remarks.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 030048129US from which the undersigned is authorized to draw.

Dated: Dec 4, 2006

Respectfully submitted,

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